



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Anthony D. Prescott et al.

Group Art Unit: 3738

Serial No.: 10/666,451

Examiner:

Filed: September 19, 2003

Attorney Docket: EAG-023

Title: Stapedial Prosthesis and Method of Implanting the Same

I hereby certify that this correspondence is being deposited on this day with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, Alexandria, VA 22313-1450.


David S. Jacobson


Date

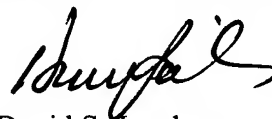
Honorable Commissioner for Patents
Alexandria, VA 22313

SUBMITTAL OF DOCUMENTS PURSUANT TO DUTY OF DISCLOSURE

Pursuant to applicant's duty of disclosure 37 CFR Section 1.56, enclosed is a completed form PTOL-1449 as well as copies of the cited documents that relate to the above-referenced patent application. Since this document submittal is being presented prior to the first examination on the merits, no fee is due herewith.

The listed documents are brought to the Examiner's attention because they are known to the applicant and/or the applicant's attorney and may be considered by the Examiner to be material to his/her examination. This listing should not be construed as representation that a search has been made or that no better art exists. No inference should be made that the documents are in fact material merely because they are referenced herein. Moreover, no representation is made that the brief descriptions of the references herein necessarily describe the most material aspects of the references. Further, by this listing, the applicant is not making any admission regarding the relative dates of the invention and listed disclosures.

Respectfully submitted,



David S. Jacobson

Reg. #39,235

Attorney for Applicant(s)

Gordon & Jacobson, P.C.
65 Woods End Road
Stamford, CT 06905
(203) 329-1160



INFORMATION DISCLOSURE CITATION

Page 1 of 3

Atty Docket No.

EAG-023

Serial No.

10/666,451

Applicant

Anthony D. Prescott et al.

Filed

September 19, 2003

Group

3738

US PATENT DOCUMENTS

Examiner Initials		Document No.	Date	Name	Class	SubCl	Filing Date if approp.
	AA	3,196,462	9/61	Robinson	3	1	
	AB	3,711,869	1/73	Shea, Jr.	3	1	
	AC	3,838,468	10/74	Armstrong	3	1	
	AD	3,931,648	1/76	Shea, Jr.	3	1.9	
	AE	4,292,693	10/81	Shea et al.	3	1.9	
	AF	4,568,337	2/86	Treharne, III et al.	604	247	
	AG	4,606,329	8/86	Hough	128	1 R	
	AH	4,612,915	9/86	Hough et al.	128	1 R	
	AI	4,624,672	11/86	Lenkauskas	623	10	
	AJ	4,655,776	4/87	Lesinski	623	10	
	AK	4,740,209	4/88	Gersdorff	623	10	
	AL	4,776,322	10/88	Hough et al.	128	1.6	
	AM	4,800,884	1/89	Heide et al.	128	419	
	AN	4,840,178	6/89	Heide et al.	128	419 R	
	AO	4,957,507	9/90	Lenkauskas	623	10	
	AP	5,061,280	10/91	Prescott	623	10	
	AQ	5,163,957	11/92	Sade et al.	623	10	
	AR	5,171,240	12/92	Hanwong	606	1	
	AS	5,220,918	6/93	Heide et al.	128	420.6	
	AT	5,306,299	4/94	Applebaum	623	10	
	AU	5,370,689	12/6/94	Causse	623	10	
	AV	5,433,749	7/95	Clifford et al.	623	10	
	AW	5,514,177	5/96	Kurz et al.	623	10	

EXAMINER

DATE CONSIDERED



INFORMATION DISCLOSURE CITATION
Page 2 of 3

Atty Docket No. EAG-023	Serial No. 10/666,451
Applicant Anthony D. Prescott et al.	
Filed September 19, 2003	Group 3738

US PATENT DOCUMENTS

Examiner Initials		Document No.	Date	Name	Class	SubCl	Filing Date if approp.
	2AA	5,522,896	6/96	Prescott	623	16	
	2AB	5,531,787	7/96	Lesisnski et al.	623	10	
	2AC	5,554,188	9/96	Prescott	623	10	
	2AD	5,728,157	3/98	Prescott	623	11	
	2AE	5,935,167	8/99	a Wengen	623	10	
	2AF	6,168,625	1/01	Prescott	623	10	
	2AG	6,197,060	3/01	Knox	623	10	
	2AH	6,203,571	3/01	Magnan et al.	623	10	
	2AI	6,436,139	8/02	Shapiro et al.	623	17.11	
	2AJ	6,482,144	11/02	Muller	600	25	
	2AK	6,540,661	4/03	Muller	600	25	
	2AL	6,554,861	4/03	Knox et al.	623	10	
	2AM	2003/0130734	7/03	Antonelli et al.	623	10	
	2AN	2003/0018291	1/03	Hill et al.	604	8	
	2AO	2001/0027342	10/01	Dormer	623	10	

OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, etc.)

	2AP	"Task Performance in Stapedotomy: Comparison Between Surgeons of Different Experience Levels" by Rothbaum et al., Otolaryngology – Head and Neck Surgery, January 2003
	2AQ	"Causse Piston" . "De La Cruz Piston", "McGee Platinum/Stainless Steel Piston Prostheses" & "Velegrakis Piston", product specifications, Gyrus ENT., 2003, downloaded at www.gyrus-ent.com on 8/17/03
	2AR	"The Lippy Stapes Prosthesis" product specification, The Lippy Group for Ear, Nose and Throat, downloaded at www.wog.com/lippy.html on 8/17/03
	2AS	"The Universal Titanium Prosthesis" product specification, Medtronic XOMED, 2001, Jacksonville, FL
	2AT	"Otosclerosis" by Katzenmeyer et al., October 27, 1999
	2AU	"What is Titanium" etc., material specifications, Sibel, downloaded at www.sibelsa.be/titanium.html on 8/17/2003

EXAMINER

DATE CONSIDERED



INFORMATION DISCLOSURE CITATION
Page 3 of 3

Atty Docket No.

EAG-023

Serial No.

10/666,451

Applicant

Anthony D. Prescott et al.

Filed

9/19/2003

Group

3738

US PATENT DOCUMENTS

Examiner Initials		Document No.	Date	Name	Class	SubCl	Filing Date if approp.
	3AA						
	3AB						
	3AC						
	3AD						
	3AE						
	3AF						
	3AG						
	3AH						
	3AI						
	3AJ						
	3AK						

FOREIGN PATENT DOCUMENTS

Examiner Initials		Document No.	Date	Country	Class	SubCl	Translation	
							Yes	No
	3AL							
	3AM							
	3AN							
	3AO							
	3AP							
	3AQ							

OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, etc.)

	3AR	"Titanium Grade 4", by Titanex.com, material specifications, downloaded at www.titane.ch/tigrtades/grade4.htm , on 8/17/2003						
	3AS	"Titanium Metals" Unalloyed Titanium Commercially Pure (CP), RERjenterprises, down loaded at www.titanium-metals.com/titanium_cp.htm on 8/17/2003						
	3AT	"Titanium Grade 2", by Titanex.com, material specifications, down loaded at www.titane.ch/tigrtades/grade2.htm , on 8/17/2003						

EXAMINER

DATE CONSIDERED